

In light of the pending litigation above, to speed the prosecution in the US of at least a subset of “inventive concepts,” Applicant herein amends the claims to restrict himself to “inventive concepts” for which there appears to be no dispute as to having originated with and being invented by Mr. Metcalfe (and possibly Mr. Lax): i.e. the “banana skin” effect (App. Judg. ¶52) (claims 1-3, 15, 22, 23, 25) and the “particle anchoring” concept (App. Judg. ¶51) (Claims 4-5, 21, 24, 25, 28.) The “sticky poison” (App. Judg. ¶52) concept may be the subject of joint inventorship with the Howse group.

Applicant also includes a copy of WO94/00980 and the London Times article referenced in the litigation to reflect prior art to which this claimed invention is an improvement.

Applicant reserves the right to file divisional/continuation applications directed to other “inventive concepts” upon the resolution of the inventorship/entitlement litigation in the UK.

The informalities noted in paragraph 5 of the Action have been corrected in the attached claims.

The enablement rejection of paragraphs 6 and 7 has been addressed in amended claim 1.

In regard to the § 112 second paragraph indefiniteness rejection found in paragraphs 8 and 9 of the Action, claim 1 has been rewritten to set forth a positive method step. The terms “such as” and the phrase “or consisting of” have been deleted. Claim 28 has been rewritten herein.

Substantive Rejections Under § 102

The independent claims are 1, 15 and 23.

Claim 1 has been amended to recite an improvement to a method for trapping and/or killing an insect by exposing the insect to a particulate composition containing a magnetic material proximate an insect trap.

Amended claim 15 recites an improved cockroach affecting material such that the particles (containing magnetic material) modify insect behaviour upon contact with a cockroach foot.


Amended claim 23 recites a improved insect trap.

Neither Geary or Price teach an insect trap or trapping methodology related thereto, or

exposing cockroach feet to particulate compositions containing a magnetic material.

Reconsideration and further examination is respectfully requested.

Respectfully Submitted,

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